

Notice of Allowability

Application No.

10/809,479

Applicant(s)

NEMOTO, AKIO

Examiner

Peter Lee

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20050103</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Lawrence A. Stahl on January 3, 2005. All parts to the examiner's amendment were discussed and agreed to except for the objection to the drawings which will be addressed below.

The application has been amended as follows:

According to claim 6, line 12, before the word "recording" replace "the" with --a-- .

According to claim 8, line 4, before the word "image" replace "the" with --an-- .

As to the abstract, the attorney of the client, Mr. Stahl, has authorized the Abstract to be amended as found on the following attached separate sheet.

2. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of claims 1-5 is the inclusion of the rotation of the guide member being limited by an image forming means which is found in all of claims 1-5, but not disclosed nor suggested by the prior art of record.

The primary reason for allowance of claims 6-8 is the inclusion of the rotatable guide member being disposed at a merge portion of two paper feeding paths so as to close off the other when one is being used, and also having the guide member rotated by the pushing of a paper

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being fed through a feeding path, and the rotation of the guide member being so as to be contacted by a process cartridge which is found in all of claims 6-8, but not disclosed nor suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Akutsu (US pn 6009288) is being cited for teaching a rotating upper guide member that is set in a paper guiding path and whose rotation is limited by a process cartridge.

Shibuya et al. (US pn 4412734) is being cited for teaching a paper guide plate that is pivotally mounted and is used to distinguish two paper feed guide paths coming together at a merge portion.

Satomi et al. (US pn 4272180) is being cited for teaching a rotating paper guide plate in an image forming apparatus.

Drawings

4. Figures 10 and 11 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the

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application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Lee whose telephone number is 571-272-2846. The examiner can normally be reached on mon-fri 9:00 am-5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on 571-272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PL 1/3/2005


SUSAN S.Y. LEE
PRIMARY EXAMINER

The Abstract has been amended as found below:

~~An object of the present invention is to provide an image forming apparatus capable of easily processing a jammed recording sheet without causing damage thereto, and alleviating a paper hopping sound at the time of having the rear end of the recording sheet passing through a merge portion of feeding paths. A representative configuration of an image forming apparatus according to the present invention is~~ An [an] image forming apparatus has [comprising] a first feeding unit for feeding a recording sheet, a detachable second feeding unit provided in the lower part of an image forming apparatus main body, an image forming portion for forming an image on the recording sheet, a first feeding path for feeding the recording sheet from the first feeding unit to the image forming portion, a second feeding path for feeding the recording sheet from the second feeding unit to the image forming portion, and a guide member for guiding the recording sheet fed at a merge portion of the second feeding path merged with the first feeding path, wherein the guide member is pivoted on the upstream side in the recording sheet feed direction, rotatably by the recording sheet fed from the second feeding path.